

[No Report.]

IN THE HOUSE OF REPRESENTATIVES.

JANUARY 10, 1861.

Read twice, amended, rejected on engrossment; subsequently reconsidered, and recommitted to the Committee for the District of Columbia.

JANUARY 31, 1861.

Reported by Mr. KILGORE with an amendment in the nature of a substitute, viz: Strike out all after the enacting clause, and insert what follows in *italics*; ordered to be printed. Motion to recommit pending.

Mr. CARTER, from the Committee for the District of Columbia, reported the following bill:

A BILL

To incorporate the Washington City and Georgetown Railway Company.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 [That George W. Riggs, Edward Maynard, Thomas P. Mor-
4 gan, Robert J. Patterson, Francis A. Lutz, Walter S. Cox,
5 James M. Carlisle, Jonah D. Hoover, and Thomas Thornley,
6 or a majority of them, be, and are hereby, appointed commis-
7 sioners to open books, receive subscriptions, and organize a
8 company by the name, style, and title of the Washington City
9 and Georgetown Railway Company, with power and authority

10 to construct a double track railway, beginning at the navy
 11 yard gate, through and along Eighth (8th) street east to its
 12 intersection with Pennsylvania avenue; along said avenue to
 13 First (1st) street east; thence along the southern boundary of
 14 the Capitol grounds to the southern gate thereof; through the
 15 same to the northern gate and North Capitol street to C street
 16 north; thence along C street north and Indiana avenue to
 17 First (1st) street west, with the privilege of a switch to the
 18 depot of the Washington branch of the Baltimore and Ohio
 19 railroad; along First (1st) street west to the west gate of the
 20 Capitol grounds; thence through and along Pennsylvania
 21 avenue, Fifteenth (15th) street west, Pennsylvania avenue,
 22 crossing Rock creek by the tubular bridge, now being con-
 23 structed, to Bridge street, Georgetown; along Bridge street
 24 to its intersection with Lingan street, opposite the Alexandria
 25 canal aqueduct, with all the necessary switches and turnouts
 26 and turn-table, with the right to run cars thereon, drawn by
 27 horses, for the transportation of passengers only. Also, the
 28 privilege of constructing a (single track with turnouts) branch
 29 line from the intersection of Pennsylvania avenue with Seventh
 30 (7th) street west; along said street north to M street north;
 31 along M street north to Ninth (9th) street west; along Ninth
 32 (9th) street west, south to its intersection with Pennsylvania
 33 avenue. Also, the privilege of constructing a (single track
 34 with turnouts) branch line from the intersection of Pennsylv-

35 vania avenue with Four-and-a-half ($4\frac{1}{2}$) street west, south to
 36 the gate of the enclosure of the arsenal grounds; thence to a
 37 point on the Potomac river.

1 SEC. 2. *And be it further enacted*, That the capital stock
 2 of said company shall consist of six thousand shares of fifty
 3 dollars each, and that the said company may, from time to
 4 time, by a vote of the stockholders at a meeting called for
 5 that purpose, of which meeting thirty days' notice shall be
 6 given in one or more newspapers in the city of Washington,
 7 increase the capital stock to an amount sufficient to carry out
 8 the true intent and meaning of this act.

1 SEC. 3. *And be it further enacted*, That the commis-
 2 sioners herein named, or a majority of them, shall have power
 3 to open books for receiving subscriptions to the capital stock
 4 of the company at such time or times, place or places, as they
 5 may deem expedient, after having given at least twenty days'
 6 notice in one or more newspapers published in the city of
 7 Washington; and at the times and places so designated and
 8 named in the public notices to be given as aforesaid the said
 9 commissioners, or a majority of them, shall attend and furnish
 10 to all persons duly qualified, who shall offer to subscribe, an
 11 opportunity of so doing; and it shall be lawful for all such
 12 persons, and for all firms and copartnerships, by themselves or
 13 by persons duly authorized, to subscribe for shares in said
 14 stock; and the said books shall be kept open at least six

15 hours in every day for the term of ten days, or until there
16 shall have been subscribed the whole number of shares author-
17 ized by this act: *Provided*, That during the first five (5)
18 days no one firm or individual shall be allowed to subscribe
19 for more than ten shares. And if after the expiration of ten
20 days the books aforesaid shall not have the number of shares
21 therein subscribed, the said commissioners may adjourn from
22 time to time until the whole number authorized shall be sub-
23 scribed, of which adjournment the commissioners aforesaid
24 shall give such public notice as the occasion may require ; and
25 when the whole number of shares shall be subscribed the
26 books shall be closed: *Provided*, That no subscription shall
27 be valid unless the party or parties making the same shall pay,
28 at the time of subscribing, to the said commissioners the sum
29 of five dollars on each and every share subscribed, for the use
30 of said company.

1 SEC. 4. *And be it further enacted*, That when the capital
2 stock, as provided by this act, shall have been subscribed, and
3 five dollars paid on each and every share as aforesaid, the said
4 commissioners, or such of them as shall have acted, shall cer-
5 tify to the President, under their hands and seals, the names of
6 the subscribers, and the number of shares subscribed by each,
7 and that five dollars on each share have been paid ; whereupon
8 the President shall, by letters patent, under his hand and the
9 seal of the United States, create and constitute the subscribers,

10 and if the subscription be not full at the time, those who shall
11 thereafter subscribe to the number of shares aforesaid, their
12 successors and assigns, into a body politic and corporate, in
13 deed and in law, by the name, style and title designated by this
14 act; and by the said name, style and title the said subscribers
15 shall have perpetual succession, with all the privileges, fran-
16 chises, and immunities incident to a corporation, and be able
17 to sue or be sued, plead and be impleaded, in all courts of
18 record, and elsewhere, and to purchase, receive, have, hold,
19 use, and enjoy, to them and their successors, goods, chattels,
20 and estate, real and personal, of what kind and nature soever,
21 and the same, from time to time, to sell, exchange, mortgage,
22 grant, alien, or otherwise dispose of, and to make dividends of
23 such portions of the profits as they may deem proper; and also
24 to make and have a common seal, and the same to alter and
25 renew at pleasure, and also to ordain, establish, and put in
26 execution such by-laws, ordinances, and regulations as shall
27 appear necessary or convenient for the government of said
28 corporation, not being contrary to the Constitution and laws of
29 the United States, and generally to do all and singular the
30 matters and things which to them it shall lawfully appertain
31 to do for the well-being of said corporation, and the due or-
32 dering and management of the affairs thereof: *Provided*, That
33 nothing herein contained shall be construed as in any way giv-
34 ing to such corporation any banking privileges whatever, to

35 issue any bond or bonds, or any other liberties, privileges,
36 or franchises but such as may be necessary or convenient to
37 the procuring, owning, making, maintaining, regulating,
38 and using their railroad for the conveyance of passengers : *And*
39 *provided, further,* That the company shall not purchase or hold
40 any real estate, except such as may be necessary or convenient
41 for the making and constructing of their railroad, or for the
42 furnishing of materials therefor, and for the accommodation of
43 depots, offices, warehouses, machine-shops, and other appro-
44 priate appurtenances, and for the persons and things employed
45 or used in and about the same.

1 SEC. 5. *And be it further enacted,* That the commis-
2 sioners named as aforesaid, or such of them as shall have acted,
3 shall, as soon as conveniently may be after the said letters
4 patent shall be obtained, appoint a time and place for the sub-
5 scribers to meet to organize the company, and shall give at
6 least two weeks' notice thereof, in the manner provided for
7 in the first section of this act ; and the said subscribers, when
8 met, shall elect, by a majority of the votes present, to be
9 given in person or by proxy, a president and five directors ;
10 the president and a majority of whom shall be resident citizens
11 of the District of Columbia, and shall be owners respectively
12 of at least three shares in the stock of the company ; and the
13 said president and directors shall conduct and manage the
14 affairs and business of said company until the second Mon-

15 day in January then next ensuing, and until others are chosen ;
16 and may make, ordain and establish such by-laws, rules, orders,
17 and regulations, and perform such other matters and things
18 as are by this act authorized : *Provided*, That in case of the
19 resignation, death, or removal of the president, the directors
20 shall, by a majority of votes, supply the vacancy until the next
21 annual election.

1 SEC. 6. *And be it further enacted*, That the stock-
2 holders of the company shall meet on the second Monday in
3 January in every year, at such place as may be fixed on by the
4 by-laws, of which notice shall be given at least two weeks pre-
5 viously by the Secretary, in the manner before mentioned, and
6 choose, by a majority of the votes present, a president and
7 five directors qualified as aforesaid, for the ensuing year, who
8 shall continue in office until the next annual election, and
9 until others are chosen ; at which annual meeting the said
10 stockholders shall have full power and authority to make, alter
11 or repeal, by a majority of votes given, any or all such by-
12 laws, rules, orders and regulations, as aforesaid, and do and
13 perform every other corporate act authorized by their charter ;
14 the stockholders may meet at such other times and places as
15 they may be summoned by the president and directors, in
16 such manner and form, and giving such notice as may be pre-
17 scribed by the by-laws ; and the president, on the request in
18 writing of any number of stockholders, representing not less

19 than one-tenth in interest, shall call a special meeting, giving
20 the like notice, and stating specifically the objects of the meet-
21 ing ; and the objects stated in such notice, and no other, shall
22 be acted on at such special meeting.

1 SEC. 7. *And be it further enacted,* That the elections for
2 directors provided for in this act shall be conducted as follows,
3 to wit : at the first election the commissioners shall appoint
4 three stockholders to be judges of the said election, and to hold
5 the same ; and at every succeeding election the directors, for
6 the time being, shall appoint three stockholders for the like
7 purpose ; and the persons so appointed by said commissioners
8 and directors shall not be eligible to an election as a director
9 at said election, and shall respectively take and subscribe an
10 oath or affirmation, before an alderman or justice of the peace,
11 well and truly and according to law to conduct such election
12 to the best of their knowledge and ability ; and the said judges
13 shall decide upon the qualifications of voters, and when the
14 election is closed shall count the votes and declare who have
15 been elected ; and if at any time it shall happen that an election
16 of directors shall not be made at the time specified, the corpo-
17 ration shall not for that reason be dissolved, but it shall be
18 lawful to hold and make such election of directors on any day
19 within three months thereafter, by giving at least ten days'
20 previous notice of the time and place of holding said election,
21 in the manner aforesaid ; and the directors of the preceding

22 year shall in that case continue in office and be invested with
23 all powers belonging to them as such, until others are elected
24 in their stead; in case of the death or resignation of a director,
25 or failure to elect in case of a tie vote, the vacancy may be
26 filled by the board of directors; at all general meetings or
27 elections by the stockholders each share of stock shall entitle
28 the holder thereof to one vote, and each ballot shall have
29 indorsed thereon the number of shares thereby represented;
30 but no share or shares transferred within sixty days next pre-
31 ceding any election or general meeting of the stockholders
32 shall entitle the holder or holders thereof to vote at any such
33 election or general meeting; nor shall any proxy be received
34 or entitle the holder to vote, unless the same shall bear date
35 and have been duly executed within the three months next
36 preceding such election or general meeting.

1 SEC. 8. *And be it further enacted,* That the president
2 and directors of the company for the time being are hereby
3 authorized and empowered to exercise all the powers granted
4 to the corporation; they shall meet at such times and places
5 as shall be by them deemed most convenient for the transac-
6 tion of their business, and when met three shall be a quorum
7 to do business; the president, if present, shall preside at all
8 meetings of the board, and when absent the board shall appoint
9 a president pro.tem.; they shall keep minutes of their proceed-
10 ings fairly entered in a suitable book to be kept for that pur-

pose ; they shall choose a secretary and treasurer, and may appoint or employ all such officers, engineers, agents, superintendents, artisans, workmen, or other persons, as in their opinions may be necessary or proper in the management of the affairs and business of said corporation, at such times, in such manner, and under such regulations as they may from time to time determine ; they shall fix the amount of the salaries and wages of such officers and persons employed by them, and they may require bond, with security in such amounts as they may deem necessary, of each or any of said officers or other persons by them appointed or employed, for the faithful discharge of their duties, and generally to do all such other acts, matters, and things, as by this act and the by-laws and regulations of the said company they may be authorized to do.

1 SEC. 9. *And be it further enacted,* That the president
2 and directors of the company first chosen shall procure certificates or evidences of stock for all the shares of such company, and shall deliver one or more certificates or evidences,
3 signed by the president, countersigned by the treasurer, and
4 sealed with the common seal of the corporation, to each person
5 or party entitled to receive the same, according to the number of shares by him, her, or them respectively subscribed or
6 held ; which certificates or evidences of stock shall be transfer-
7 able, at the pleasure of the holder, in a suitable book or books

11 to be kept by the company for that purpose, in person or by
12 attorney duly authorized, in the presence of the president or
13 treasurer, subject, however, to all payments due or to become
14 due thereon; and the assignee or party to whom the same
15 shall have been so transferred shall thereupon be a member of
16 said corporation, and have and enjoy all the immunities, priv-
17 ileges and franchises, and be subject to all the liabilities, con-
18 ditions and penalties incident thereto, in the same manner as
19 the original subscriber would have been: *Provided*, That no
20 certificate shall be transferred so long as the holder thereof is
21 indebted to said company, unless the board of directors shall
22 consent thereto: *And provided*, That no such transfer of stock
23 shall have the effect of discharging any liabilities or penalties
24 theretofore incurred by the owner thereof.

1 SEC. 10. *And be it further enacted*, That the capital
2 stock of the company shall be divided into shares of fifty dol-
3 lars each, and shall be called in and paid at such times and
4 places, and in such proportions and instalments, not, however,
5 exceeding five dollars per share, as the directors shall require,
6 of which public notice shall be given for at least one week
7 next preceding the time or times appointed for that purpose,
8 in the manner above mentioned; and if any stockholder shall
9 neglect to pay such proportion or instalment so called for at
10 the time and place appointed, he, she, or they shall be liable
11 to pay, in addition to the proportion or instalment so called

12 for, at the rate of one per centum per month for the delay of
 13 such payment; and if the same and the additional penalty, or
 14 any part thereof, shall remain unpaid for the period of six
 15 months, he, she, or they shall, at the discretion of the
 16 directors, forfeit to the use of the company all right, title, and
 17 interest in and to every and all share or shares on account of
 18 which such default in payment may be made as aforesaid, or
 19 the directors may, at their option, cause suit to be brought
 20 before any competent tribunal for the recovery of the amount
 21 due on such shares, together with the penalty of one per
 22 centum per month as aforesaid; and in the event of a for-
 23 feiture, the share or shares so forfeited may be disposed of at
 24 the discretion of the president and directors, under such rules
 25 and regulations as may be prescribed by the by-laws. No
 26 stockholder shall be entitled to vote at any election, nor at any
 27 general or special meeting of the company, on whose share or
 28 shares any instalment or arrearages may be due more than
 29 thirty days next preceding said election or meeting: *Provided,*
 30 That no forfeiture of stock shall release or discharge the owner
 31 thereof from any liabilities or penalties incurred prior to the
 32 time of such forfeiture.

1 SEC. 11. *And be it further enacted,* That the dividends
 2 of so much of the profits of the company as shall appear advi-
 3 sable to the directors shall be declared in the months of July
 4 and January in each and every year, and be paid to the stock-

5 holders or their legal representatives, on application at the
6 office of the company, at any time after the expiration of ten
7 days from the time of declaring the same; but the said divi-
8 dends shall in no case exceed the amount of the net profits
9 actually acquired by the company, so that the capital stock
10 shall never be impaired thereby; and if the said directors shall
11 make any dividend which shall impair the capital stock of the
12 company, the directors consenting thereto shall be liable, in
13 their individual capacities, to the company for the amount of
14 the capital stock so divided, recoverable by action of debt as
15 in other cases; and each director present when such dividend
16 shall be declared shall be considered as consenting thereto,
17 unless he forthwith enter his protest on the minutes of the
18 board, and give public notice to the stockholders of the de-
19 claring of such dividend.

1 SEC. 12. *And be it further enacted,* That at each annual
2 meeting of the stockholders of the company the president and
3 managers of the preceding year shall exhibit to them a full and
4 complete statement of the affairs and proceedings of the com-
5 pany for such year, with all such matters as shall be necessary
6 to convey to the stockholders a full knowledge of the condition
7 and affairs of said company; and the said president and direc-
8 tors of the company shall, whenever required, furnish to Con-
9 gress, or either branch thereof, a full and authentic report of

10 their affairs and transactions, or such information relating
11 thereto as may be demanded of them.

1 SEC. 13. *And be it further enacted*, That it is hereby
2 provided that the said railway company shall, in constructing
3 their road and branches along the highways referred to, conform to the grades established, or which may hereafter be
4 established, and be subject to any ordinances passed by the councils of the said cities relating thereto: *Provided*, That the streets
5 and avenues thus occupied by the aforesaid railway company
6 shall be kept in repair by the said company within and for three
7 feet on either side of the outer rail, without expense to the
8 United States or the cities of Washington and Georgetown: *And*
9 *provided, further*, That said passenger railway shall have power
10 to cross all railroad tracts of all railroad companies now incorporated, or hereafter to be incorporated, whose grades conform to theirs

1 SEC. 14. *And be it further enacted*, That the said railway
2 company shall not connect with any railroad, other than for passenger purposes, and of the same gauge; and no freight or
3 freight cars shall be permitted to pass over said railway, under
4 the penalty of a forfeiture of its charter. And the said company shall annually pay into the treasuries of the cities of
5 Washington and Georgetown, for the use of said cities whenever the dividend shall exceed six per centum per annum on
6 the capital stock, the sum of six per centum on the excess

10 above six per centum thus declared. The division of said sum
11 between the two cities to be made *in proportion to the length*
12 *of said main line of railroad located and constructed within*
13 *the limits of said cities respectively*, by persons duly appointed
14 by the United States district court for the District of Columbia.
15 That, for the convenience of the public, it shall also be the
16 duty of the company to clear the streets, or other public high-
17 ways that they may occupy, of snow or any obstructions placed
18 therein by the company, when the same impedes the travel
19 upon said highways; and for any neglect on their part to do so
20 for a period of five days they shall be punishable by a fine of
21 twenty dollars for each square that may be so impeded, recov-
22 erable before any alderman of the cities of Washington or
23 Georgetown, and payable into the city treasuries upon a com-
24 plaint of five citizens residing therein, upon oath or affirma-
25 tion: *Provided, nevertheless*, That whenever the company
26 shall deem it inexpedient to use their said road during the con-
27 tinuance of the snow, they shall provide comfortable sleighs,
28 or other suitable vehicles, for the transportation of passengers
29 along the route of their railway at the usual rates as aforesaid;
30 then, and in that case, no such penalty shall be recoverable.

1 SEC. 15. *And be it further enacted*, That it shall be the
2 duty of the company as aforesaid, when requested so to do by
3 the Commissioner of Public Buildings, to remove any obstruc-
4 tion, mend or repair their road, the highways, as hereinbe-

5 fore provided, and should they refuse or neglect to do so for
6 ten days from the date of such notice, then and in such case
7 the councils may forbid the running of any car or cars upon
8 the said road until the same is fully complied with ; and the
9 Commissioner has the right in all such cases to repair streets,
10 and the expense thereof shall be a judgment upon the road,
11 stock, and effects of the company, recoverable as judgments are
12 now recoverable by the United States.

1 SEC. 16. *And be it further enacted,* That it shall be the
2 duty of said company to employ careful, sober, and prudent
3 agents, conductors, and drivers to take charge of their car or
4 cars when upon the road ; and for the violation of any act of
5 Congress or ordinances of the cities on the part of any such
6 officer or officers, or employees upon said road, the company
7 shall be liable to all fines, forfeitures, or damages therefrom :
8 *Provided, however,* That this act shall not be taken to excuse
9 or free any such officer or employee from the penalties or re-
10 sponsibilities of any such violations or other acts by them com-
11 mitted.

1 SEC. 17. *And be it further enacted,* That the running
2 speed of the cars shall not at any time be at a greater rate
3 than six miles an hour in the paved and built-up portions of
4 the city, nor shall they incommode the crossings, nor stop at
5 the corners of any street or elsewhere to solicit passengers.
6 It shall also be the duty of conductors and drivers of the cars

7 to give ample notice to drivers of vehicles and pedestrians of
 8 their approach, and also to afford all reasonable opportunity
 9 for them, or either of them, to avoid collision or accident ; and
 10 any neglect by them to comply with the provisions of this
 11 section shall be punished by a fine of five dollars, to be re-
 12 covered before any alderman of the cities, and paid into the
 13 city treasuries ; and the mayor of said cities is in such cases
 14 empowered to revoke the license of such car or cars, and they
 15 shall not be permitted to be again placed on the road until
 16 such license is renewed.

1 SEC. 18. *And be it further enacted,* That it shall be
 2 incumbent on the railroad company, as aforesaid, before placing
 3 cars upon their road, to pay into the treasuries of the cities of
 4 Washington and Georgetown each, and annually thereafter,
 5 for the use of the cities, the sum of five dollars for each car
 6 intended to run on the same, *which amount may be increased*
 7 *at any time by the corporate authorities of said cities, or either*
 8 *of them, to a sum not exceeding ten dollars per car.* They
 9 shall also have the number painted in some conspicuous place
 10 upon each car ; and any omission or neglect to comply with
 11 either of these provisions shall be punishable by a fine of ten
 12 dollars, to be recovered on complaint before any alderman of
 13 said cities, who shall pay the same forthwith into the city
 14 treasuries as aforesaid.

1 SEC. 19. *And be it further enacted,* That the gauge
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2 of said railroad shall be four feet eight and one-half inches,
3 and the rate of fare to be charged for each passenger through
4 on the main line, or any part thereof, shall be five cents ; and
5 upon the branch lines, or any part thereof, the rate of fare for
6 each passenger shall be five cents. And all tickets issued by
7 said company for the main or branch lines shall be received
8 for fare on either main or branch lines.

1 *SEC. 20. And be it further enacted,* That if any per-
2 son or persons shall wilfully and knowingly break, injure, or
3 destroy the railroad authorized by this act, or any part thereof,
4 or any edifice, device, property, or work, or any part thereof,
5 or any machinery, car, implement or utensil, erected, owned
6 or used by the company, in pursuance of this act, he, she, or
7 they so offending shall forfeit and pay to the company three
8 times the actual damage so sustained, to be sued for and re-
9 covered with full costs, before any tribunal having cognizance
10 thereof, by action in the name and for the use of the company.

1 *SEC. 21. And be it further enacted,* That if any person
2 or persons shall wilfully and maliciously remove or destroy any
3 part of the road, property, buildings, or other works belong-
4 ing to the company, or place, designedly and with evil intent,
5 any obstruction on the line of such railroad, so as to jeopard the
6 safety or endanger the lives of persons travelling on or over
7 the same, such person or persons so offending shall be deemed
8 guilty of a misdemeanor, and shall, on conviction, be imprisoned

9 in the county jail or penitentiary, at the discretion of the court,
 10 for a term not less than three years : *Provided*, That nothing
 11 herein contained shall prevent the company from pursuing any
 12 other appropriate remedy at law in such cases.

1 SEC. 22. *And be it further enacted*, That if the company
 2 incorporated as aforesaid shall not commence the construction
 3 of their proposed railroad within thirty days after the passage
 4 of this act, and complete and open the same for use within six
 5 months, or if, after completion, the said railroad shall be suf-
 6 fered to go into decay, and be impassable for the term of six
 7 months, then this charter shall be null and void, except so far
 8 as to compel the said company to make reparation for
 9 damages.

1 SEC. 23. *And be it further enacted*, That the cars shall
 2 be run on the main line and branches as often as once every
 3 ten minutes each way between the hours of six a. m. and eight
 4 a. m., and from eight a. m. to eight p. m., every five minutes each
 5 way, and from eight p. m. to twelve midnight every ten minutes
 6 each way ; that the cars shall be of capacity sufficient to carry
 7 twenty-four passengers, each comfortably seated, and drawn by
 8 two horses, attended by a conductor.]

3 *That Richard Wallach, George W. Riggs, Walter Lenox,*
 4 *Jonah D. Hoover, James M. Carlisle, Wm. B. Todd,*
 5 *Charles W. Boteler, jr., George Harrington, John F. Coyle,*
 6 *Walter S. Cox, their assigns and associates, be, and they*

7 are hereby, created a body corporate, under the name of the
 8 Washington and Georgetown Railroad Company, with author-
 9 ity to construct and lay down a double-track railway, with the
 10 necessary switches and turnouts in the cities of Washington
 11 and Georgetown, in the District of Columbia, through and
 12 along the following avenues and streets: commencing on
 13 Bridge street, at its intersection with High street, or at such
 14 point on said Bridge street, east thereof, in the city of George-
 15 town, as may be designated by the corporate authorities thereof;
 16 along said Bridge street to its intersection with the street run-
 17 ning to the tubular bridge; across the said tubular bridge over
 18 Rock creek to Pennsylvania avenue, in the city of Washington;
 19 along said avenue to Fifteenth street west; along said street
 20 south to said avenue; along said avenue to the foot of the Cap-
 21 itol; thence around the northern boundary of the Capitol grounds
 22 to the northern gate thereof, through the same to the southern
 23 gate; thence along their southern boundary easterly to Penn-
 24 sylvania avenue; along said avenue to Eighth street east, or
 25 Garrison street, and along said street due south to the navy
 26 yard gate; with a lateral road connecting said main road with
 27 New Jersey avenue at its intersection with the depot of the
 28 Baltimore and Ohio Railroad Company, also a single or
 29 double track railway commencing at the intersection of Seventh
 30 street west with I street north, near the Northern Liberty
 31 Market-house, and running south along said Seventh street

32 to the south side of Pennsylvania avenue, and intersecting
 33 with the road on said avenue, and from its intersection with
 34 said I and Seventh streets along said I street to New York
 35 avenue, and along said avenue to Fifteenth street west, inter-
 36 secting with the main line at that point, and such other streets
 37 and avenues as the corporations of Washington and George-
 38 town may approve, with the right to run public carriages thereon
 39 drawn by horse power, receiving therefor a rate of fare of not
 40 exceeding five cents per passenger for any distance between
 41 any and all of the termini of the said roads : Provided, That
 42 the use and maintenance of said roads shall be subject to the
 43 municipal regulations of the cities of Washington and George-
 44 town, respectively, and that whenever the Capitol grounds shall
 45 be enlarged, then the said routes shall be made to conform to
 46 the same.

1 SEC. 2. And be it further enacted, That the real pro-
 2 perty, and the stock of said body corporate, shall be taxed as
 3 other real property and stocks in the cities aforesaid.

1 SEC. 3. And be it further enacted, That the said
 2 railways shall be laid in the centres of the avenues and streets,
 3 in the most approved manner, adapted for street railways,
 4 with rails of the grooved pattern, laid upon an even surface
 5 with the pavement of the streets. The gauge of the tracks
 6 and the space between them shall not be less than four feet,

7 nor more than six feet, and the carriages shall not be less than
8 six feet in width.

1 SEC. 4. *And be it further enacted, That the said cor-*
2 *poration hereby created shall be bound to keep said tracks and*
3 *the pavements, within and for the space of two feet beyond the*
4 *outer rail, always in good repair, without expense to the gov-*
5 *ernment of the United States or the cities of Washington and*
6 *Georgetown.*

1 SEC. 5. *And be it further enacted, That the privileges*
2 *hereby granted shall continue for the term of forty (40) years :*
3 *Provided, however, That at any time, within ten years after*
4 *the completion of said roads, the Congress of the United States*
5 *shall have power to alter, fix, and regulate the fare chargeable*
6 *on said roads, for and during the next ensuing ten years ; and*
7 *in like manner during the existence and continuance of this*
8 *grant at the expiration of every succeeding ten years thereof.*

1 SEC. 6. *And be it further enacted, That unless the said*
2 *railways shall be commenced within twelve months from the*
3 *passage of this act, and be completed within two years, this act*
4 *shall be null and void.*

1 SEC. 7. *And be it further enacted, That if the said rail-*
2 *ways shall not have been completed within the term of two*
3 *years from the passage of this act, it shall be the duty of the*
4 *attorney of the United States, for the District of Columbia,*
5 *to institute in the circuit court of said District, proceedings*

6 by *scire facias*, for the forfeiture and annulment of this charter,
 7 upon which proceedings the court may adjudge such forfeiture,
 8 and issue process for the seizure of the privileges and fran-
 9 chises granted by this act; and pending such proceedings, it
 10 shall be competent for any creditor or creditors of the said
 11 company to file a bill in equity before the said court, for the
 12 appointment of a receiver of all tangible property and effects
 13 of the said company and for the sale and disposition thereof,
 14 in case of a forfeiture adjudged as aforesaid, for the satisfac-
 15 tion of the debt or debts due or coming due to such creditor or
 16 creditors.

1 SEC. 8. And be it further enacted, That nothing in this
 2 act shall prevent the government at any time, at their option,
 from altering the grade or otherwise improving Pennsylvania
 4 avenue and such other avenues and streets as may be occupied
 5 by said roads, or the cities of Washington and Georgetown
 6 likewise of such streets and avenues as may be under their re-
 7 spective authority and control.

1 SEC. 9. And be it further enacted, That this act may
 2 at any time be altered, amended, or repealed by the Congress
 3 of the United States.

1 SEC. 10. And be it further enacted, That nothing in this
 2 act shall be so construed as to authorize said body corporate
 3 to issue any note, token, device, scrip, or other evidence of debt
 4 to be used as a currency.